

(d) Yes.

(e) No.

Calling for records on the matter raised by Sri C. M. Arumugham on a question of breach of privilege.

SRI C.M. ARUMUGHAM (KGF):—Sir, I have raised a question involving breach of privilege and contempt of this House, against the Chief Justice of Karnataka High Court. The Speaker has kindly reserved the ruling. Tomorrow we are adjourning. I will make a submission that before you give a ruling, I would request you to take all the relevant documents connected with the issue.

MR. SPEAKER:—I would like to know from the House whether I have to summon the record.

SRI J. H. PATEL:—It is left to you.

SRI K. H. RANGANATH:—The Speaker can get all the relevant records; if it left to the judgment of the Chair.

SRI A. LAKSHMISAGAR:—You were pleased to say that a considered ruling would be given on the admissibility. It is entirely within your province to look into every document and examine every aspect of the matter to enable you to come to a correct conclusion. The records which have a bearing on this issue can be called for. You have unfettered authority and right and there is no need for guidance from this House. You can consult any authority as you may think fit.

SRI B. V. KAKKILAYA:—Sir, the matter is very important and perhaps, it is the first of its kind. So, before giving a ruling, it would be appropriate for you to call for all the relevant records. You have every right to do it. There is no need to ask the House for opinion.

SRI K. H. RANGANATH:—I have a small submission. Yesterday in the morning, I was not here. From what I read in the papers, Sri C. M. Arumugham has given a motion of privilege based on the proceedings of the House based on the statement of the Law Minister. Sir, to come to a conclusion, I would submit that the whole motion is based on the proceedings of the House probably, the motion is at the stage of admissibility. Your ruling is in respect of admissibility. Therefore, if the proceedings give proof, *prima-facie*, then you can take a decision, not going beyond the scope of the proceedings and making reference to the other documents. This is my limited submission for your consideration.

SRI A. LAKSHMISAGAR.—As Mr. B. V. Kakkilaya pointed out, this is an unprecedented instance of motion for breach of privilege. I don't think your position is circumscribed by any rules and regulations or fetters in the matter of looking into several documents and citations, court rulings and there is no need to limit yourself for the purpose of enabling yourself to get at the bottom of the matter. You needed not go by the records here alone. The record is one that is based on the submission made before this House but if it refers to a matter beyond what has been stated before this House, you are not prevented from looking into these matters also. Therefore, let us face the entire issue in its entire perspective and see that a considered ruling is rendered by you, Sir.

† SRI K. H. RANGANATH.—I made a limited submission, only Sir, the whole motion was based on the Proceedings of this House. It was not based on any other subject. I have gone through the morning paper. While going through it, I find that a pertinent question was also put to the hon. Member Sri C.M. Arumugham whether he has substantiated his motion with any other document and he has pertinently said: "What more documentary evident you want other than the Proceedings of this House." In fact I have gone through the speeches reported in the Press because yesterday morning I was not here. What is available here, what the members present with the motion for consideration, what the member submits here, what they refer here during their speeches—they are the relevant matters to arrive at a conclusion. Whether they make out a *Prima-faci* case for the admissibility of the motion? To this limited extent, I made my submission. Of course, I don't want to fetter your powers but still to put our hands into what have not been referred to here, and what are not before this House and arrive at a conclusion, probably would be beyond the jurisdiction. I would put it in that way. That is why I made a limited submission. What was referred to in this House? Whether the Motion and in support of it the Proceedings, the speeches or the authorities that we quote substantiate the admissibility or otherwise of the motion. They are the matters which can be taken into consideration while the Hon. Speaker arrive at a conclusion and give his ruling. This is my limited submission.

MR. SPEAKER.—If necessary, the House can summon the records.

SRI K. H. RANGANATH.—With due respect to the Chair, I would like to submit one thing. When the matter is admitted, or when the matter is going to be discussed here; then, every aspect of it will have to be discussed here; Every bit of paper that is available will have to be brought here; Not only that, if possible, the House has

got the power to summon the Advocate-General here also under the Constitution. Therefore, the matter dose not limit to a small area; The matter has got a wider area. At this point of time, you are expected to give a ruling in respect of the admissibility or otherwise of the Motion raised by the hon. Member Sri C.M. Arumugham. I would request the Hon. Speaker to take into consideration the motion with reference to the proceedings of this House and the statement made by Law Minister and other matters also referred to by the Members who have taken part in the discussion of this House.

MR. SPEAKER.— That I will do.

SRI S.M. SHEERNALLY CHANDRASHEKAR.— I request the Hon. Speaker to allow this Motion and create a history. It is a rare opportunity given to you Sir.

SRI B. B. SAYANAK.— Yesterday, the Hon. Member Sri C. M. Arumugham has raised the Privilege issue and the Chair has reserved his ruling. To-day, where is the necessity to request the Hon. Speaker to take into consideration all the aspects ? It means, we are doubting the ruling of the Speaker. We respect the ruling of the Chair. The Chair has got every authority to look into all the aspects of the matter and I therefore submit that should not doubt the ruling of the Chair.

MR. SPEAKER.— If he says like that, it is his own opinion. I have clearly stated that I will give a considered ruling. Therefore, let us put an end to that matter.

SRI C. M. ARUMUGHAM.—I am not questioning the authority of the Speaker in reserving the ruling or in giving the ruling. I only submitted that while giving a ruling on this very important issue, the Hon. Speaker may look into all relevant records. I am not questioning the validity or authority of the Speaker.

Papers laid on the table

SRI R. S. PATIL (Minister for Labour and Excise).—Sir, I beg to lay:—

“Order No. FD 8 PES 79, dated 1st May, 1979, Specifying Coorg District for the purpose of sub-rule (3) of Rule 3 of the Karnataka Excise (Lease of Right of the Vend of Liquors) Rules 1969 for the year 1979-80

Under sub-section (4) of Section of the Karnataka Excise Act, 1965.”